REMARKS

In view of the following remarks, Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1-19 are pending.

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Rejection of Claims 1-19

The Office rejected claims 1-19 as being anticipated by USPN 5,659,539 to Porter under §102(e).

10 *Claims 1 and 3-6*

Claim 1 recites, in part:

> *receiving said first respective frames as digital data from said first source via said digital data network; rendering said first respective frames at a predetermined framerate;*
>
> 15 *before a last frame of said first respective frames is rendered from digital data, receiving a first frame of said second respective frames as digital data from said second source via said digital data network;*

20 According to claim 1, rendering commences for the first respective frames received from the first source and then, before a last frame is rendered, a first frame of the second respective frames is received from the second source.

In rejecting claim 1, the Office cites the Porter reference at col. 7, ll. 19-22 and at col. 13, ll. 20-30. Applicant submits that the evidence at col. 7, ll. 19-22 pertains to decoding an MPEG data stream as sent to a client by the video pump 130 where the video pump retrieves the MPEG data as packets from a single MPEG file 104 stored in a single mass storage device 140. As stated in col. 7, ll. 15-16: "The data that follows the first packet is retrieved sequentially from the MPEG file 104, and will therefore constitute a series of MPEG compliant packets [from the single MPEG file 104 stored in the single mass storage device 140]".

With respect to the evidence at col. 13, ll. 20-30, this evidence pertains to seek operations ("V. SEEK OPERATIONS" col. 11, l. 54). The Porter reference discloses a seek operation where a client wishes to jump ahead in a single MPEG file 140 "to a position five minutes ahead of the current playing position" (col. 11, lines 59-61). In response, a stream server 110 generates and issues "'insert' and 'play' commands" (col. 13, l. 7) to the video pump 130 (col. 12, ll. 35-39) for the single MPEG file 140 (see Figs. 3a and 3b of the Porter reference). As stated at col. 13, ll. 20-22, for the request to jump ahead by 5 minutes in the single MPEG file 140: "[t]here is no interruption in the MPEG data stream transmitted by video pump 130 to the client during this process". Applicant submits that this statement is not accurate as Fig. 3b clearly shows that the "insert" command causes the video pump 130 to insert so-called "prefix

data" 322 between MPEG data 324 and MPEG data 320. Thus, the prefix data 322 interrupts the MPEG data.

Regardless of this inaccuracy, Applicant submits that the cited evidence is insufficient to support the rejection of claim 1. Specifically, the cited evidence does not disclose any relationship between receipt and rendering of frames from two digital data sources and hence cannot disclose the relationship as recited in claim 1. In particular, the aforementioned cited portions of the Porter reference relied on by the Office pertain to data from a single MPEG file 104 and there is no mention of rendering at the client 160. Claim 1 recites: "*such that playback of said first clip [from the first source] and said second clip [from the second source] appears seamless*". Speculation is required to reach the conclusion that the cited evidence anticipates claim 1. Consequently, Applicant submits that claim 1 is not anticipated by the Porter reference.

As claims 3-6 depend on claim 1, Applicant submits that these claims are not anticipated by the Porter reference for at least the same reasons as claim 1.

Claim 2

Claim 2 recites: "*A method as recited in Claim 1 wherein said first digital data source comprises a first server coupled to said digital data network and wherein said second source comprises a second server coupled to said digital data network*".

The Office cites the Porter reference at col. 26, ll. 48-49, which pertains to "XIX. NON-INTERACTIVE DIGITAL AUDIO-VISUAL EDITING" (col. 24, ll. 59-60) and references Figs. 5 and 6. At col. 24, ll. 63-66, the Porter reference states: "By initiating seek operations and rate-specified playback operations, a user is effectively performing interactive MPEG editing. That is, the MPEG data stream that is produced in response to these operations [seek operations] is based on but differs from the content of the original MPEG file". As explicitly stated, the operations are performed on a single, "original" MPEG file, shown in Fig. 5 as "MPEG file 104".

To clarify, Fig. 5 shows a single "edited MPEG file 510" as the result of editing the single, original "MPEG file 104". Turning to the evidence at col. 26, ll. 48-49, the Porter reference states that "the various files may be stored on separate storage devices" (col. 26, ll. 48-49). Logically, this means that the single MPEG source file 104 may be stored separate from the MPEG result file 510. This evidence does not disclose or support a conclusion that two separate MPEG source files can be used where the two files are stored in different digital data sources. Further, assuming that sufficient objective evidence existed to support such a conclusion, Applicant submits that such evidence would also need to show how one could modify the system of the Porter reference to handle two files stored in different digital data sources. Consequently, Applicant submits that the rejection of claim 2 is not supported by the objective evidence of record.

Claims 7-13

Claim 7 recites, in part:

a first server computer coupled to receive said first plurality of frame accurate requests from said client computer via said digital data network to pull digital data from said first server computer, wherein said first server computer retrieves first respective frames of said first clip requested by said first plurality of frame accurate requests and transmits said first respective frames to said client computer as digital data via said digital data network;

a second server computer coupled to receive said second plurality of frame accurate requests from said client computer via said digital data network to pull digital data from said second server computer, wherein second server computer retrieves second respective frames of said second clip requested by said second plurality of frame accurate requests, and transmits said second respective frames to said client computer as digital data via said digital data network;

To reject claim 7, the Office relies on the Porter reference at col. 26, ll. 48-49 (see OA of 2/23/07 at page 5). As already discussed with respect to claim 2, above, this evidence does not disclose use of digital data from two digital data sources.

As claims 8-13 depend on claim 1, Applicant submits that these claims are not anticipated by the Porter reference for at least the same reasons as claim 1.

Claims 14 and 16-19

Claim 14 is a CRM claim that recites various aspects of the method claim 1. Thus, Applicant respectfully directs the Office to the evidence and arguments for claims 1 and 3-6, above. Applicant submits that claims 14 and 16-19 are not anticipated by the Porter reference.

Claim 15

Claim 15 is a CRM claim that recites various aspects of the method claim 2. Applicant respectfully directs the Office to the evidence and arguments for claim 2, above. Applicant submits that claim 15 is not anticipated by the Porter reference.

Conclusion

Pending claims 1-19 are believed to be in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the present application. Should any issue remain that prevents immediate issuance of the application, the Examiner is encouraged to contact the undersigned attorney to discuss the unresolved issue.

Respectfully Submitted,
Lee & Hayes, PLLC
421 W. Riverside Avenue, Suite 500
Spokane, WA 99201

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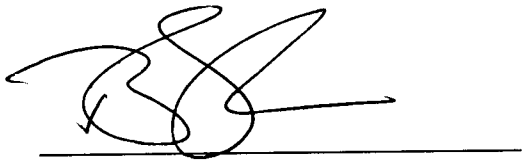

Name: Brian J. Pangrle
Reg. No. 42,973
Phone No. (509) 324-9256 ext. 231